

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:15-CR-324-F-1

UNITED STATES OF AMERICA

vs.

ARNOLD OGDEN JONES, II,

Defendant.

**ORDER**

Before the court is the Defendant's motion to seal docket entry 55 and is accompanying attachment. [DE 56]. Defendant's motion is not accompanied by a supporting memorandum.

Local Criminal Rule 55.2(a) provides that "[a] party desiring to file a document under seal must first file a motion seeking leave in accordance with Section T of the CM/ECF Policy Manual ["Policy Manual"]." The Policy Manual provides that a motion to seal may be filed without a supporting memorandum only if the filing party can cite a statute or rule that requires the filing to be sealed. Policy Manual, § T(1)(a). Otherwise, the movant must submit a supporting memorandum specifying:

- (i) the exact document or item, or portions thereof, for which filing under seal is requested;
- (ii) how such request to seal overcomes the common law or the First Amendment presumption to access;
- (iii) the specific qualities of the material at issue which justify sealing such material, taking into account the balance of competing interest in access;
- (iv) the reasons why alternatives to sealing are inadequate; and
- (v) whether there is consent to the motion

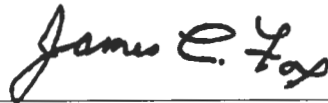
*Id.* The Policy Manual provides further that "[i]n addition to the motion and supporting memorandum, the filing party must set out such findings in a proposed order to seal, which should be submitted in accordance with Section M of th[e] Policy Manual."

The instant motion does not cite a statute or rule requiring the sealing of docket entry 55. Rather, Defendant states only that docket entry 55 should be sealed based on a purported conversation with the United States. This statement does not meet the requirements of Section T of the Policy Manual. Accordingly, Defendant's motion fails to comply with Local Criminal Rule 55.2(a).

For the foregoing reasons, Defendant's motion to seal [DE 56] is DENIED WITHOUT PREJUDICE.

SO ORDERED.

This the 15th day of August, 2016.

  
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**JAMES C. FOX**  
Senior United States District Judge